

REMARKS

Claims 31-42, as amended, and new claims 43-50 are pending in this application. Applicants have amended certain claims in this Response because Applicants believe these amendments serve a useful clarification purpose independent of patentability. Accordingly, Applicants respectfully submit that the claim amendments do not limit the range of any permissible equivalents.

Independent claims 31 and 37 have been rewritten to further clarify the invention. For example, both claims now recite a first mold plate having a first set of pins that includes five pins. Various dependent claims have been amended to maintain consistency with the language appearing in the independent claims to avoid any § 112 issues. In addition, new claims 43-47 have been added to recite various embodiments of the invention in claims 31 and 37, which are supported by the Written Description. *See, e.g.*, Written Description at Page 9, lines 14-25 and Page 9, line 31 to Page 10, line 1. Furthermore, new independent claim 48 (and those claims depending therefrom) is similar to claim 31, except that it recites a cluster block including a plurality of pins, which is also supported in the Written Description at Page 9, lines 14-18.

As no new matter has been added by the amendments and introduction of new claims, Applicants respectfully request entry of these amendments at this time.

THE REJECTIONS UNDER 35 U.S.C. § 103

Claims 31-36 were rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,129,881 to Puniello in view of U.S. Patent No. 2,361,348 to Dickson *et al.* for the reasons provided on pages 2-4 of the Office Action. In addition, the Examiner rejected claims 37-42 under § 103(a) as obvious over Puniello in view of Dickson as set forth on pages 4-56 of the Office Action. Neither reference discloses or suggests the present invention for the reasons that follow.

Puniello generally discloses a retractable sleeve for injection molding a golf ball intermediate layer or cover layer. *See* Abstract. As stated by the Examiner, “Puniello, however, does not teach a plurality of retractable pins in a first mold plate.” Office Action at Page 2. In an attempt to remedy this deficiency, the Examiner has cited Dickson based on its teaching of “retractable pins at various positions within a mold plate, *e.g.*, pins at the poles or pins around the core.” Office Action at Page 3. Dickson does not cure the stated deficiency of the primary reference, however, and, thus, the combination does not render the present invention obvious.

For example, independent claims 31 and 37 now recite a first mold plate having five

pins. While Dickson does generally disclose more than one locator pin in each mold half, Dickson does not even suggest five pins in either one of the upper or lower molds, as presently recited. At best, Dickson shows four pins 118, which appear at each corner of the upper and lower molds, *i.e.*, two in the upper mold and two in the lower mold (*see, e.g.*, Page 4, lines 52-57; *see also* Fig. 6).

Furthermore, while Dickson does generally disclose retracting the pins after fluid injection so as to form a dimple on the outer surface of the ball complimentary to those dimples made by projections 96 and 97, Dickson does not teach a plurality of projections on each pin, as presently recited. Page 3, lines 58-70. In fact, Dickson's Figure 4 shows only a single projection on each pin with no suggestion in the text to adapt the pin to include more projections.

And, with regard to dependent claim 34 and independent claim 37, the only venting Dickson performs is not via the pins, but rather through a vent in the actual die. *See, e.g.*, Page 3 at lines 30-32; *see also* Fig. 1, reference numeral 79. In particular, Dickson instructs that vents 79 and 79a of Figs. 1, 2, 3, and 8 are provided in the dies and can vary in location. Thus, the venting in Dickson is not associated with the pins, as presently recited.

For at least the reasons above, a skilled artisan would not have been motivated to arrive at the present invention when combining Puniello and Dickson absent the use of impermissible hindsight. As such, Applicants respectfully submit the combination of Puniello and Dickson does not render the present invention obvious. Thus, Applicants respectfully request reconsideration and withdrawal of the § 103 rejection based thereon.

NEW CLAIMS ADDED WITH THIS RESPONSE

As discussed generally above, new independent claim 48 is similar to the already pending independent claims 31 and 37. As such, this claim does not introduce any new issues for consideration by the Examiner that would require a new search. In addition, because of the similarity in subject matter, independent claim 48 (and those claims depending therefrom) are not rendered obvious over the cited combination for the reasons provided above. For example, Dickson does not teach more than one projection on a pin and Puniello, as stated by the Examiner does not teach a plurality of pins. As such, a skilled artisan would not have had the requisite motivation to combine the references absent the instant application to use as a template from which to pick and choose, which is a classic case of impermissible hindsight. Thus, Applicants respectfully request allowance of these claims.

CONCLUSION

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments and remarks still do not resolve all of the issues regarding patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorneys to discuss any remaining issues.

A Petition for Extension of Time is submitted herewith to extend the time for response one month to and including January 10, 2005, since the due date of January 8, 2005 fell on a Saturday. A Fee Sheet Transmittal is also submitted herewith to authorize the fees associated with such petition. No other fees are believed to be due at this time. Should any fee be required, however, please charge such fee to Swidler Berlin, LLP Deposit Account No. 195127, Order No. 20002.0015.

Respectfully submitted,
SWIDLER BERLIN, LLP

Dated: January 10, 2005

By: Stephanie D. Scruggs
Stephanie D. Scruggs, Registration No. 54,432
SWIDLER BERLIN, LLP
3000 K Street, NW, Suite 300
Washington, D.C. 20007
(202) 424-7755 Telephone
(202) 295-8478 Facsimile